

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

V.

JAMES DOUGLAS NICHOLS (2)

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CASE NO. 4:09-CR-222
(Judge Folsom)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On January 4, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion to Dismiss Based Upon Improper Venue (Dkt. #96) should be denied.

The Court, having made a *de novo* review of the objections raised by Defendant, is of the opinion that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit. Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of this Court. It is accordingly

ORDERED that Defendant's Motion to Dismiss Based Upon Improper Venue (Dkt. #96) is **DENIED** at this time.

IT IS SO ORDERED.

SIGNED this 9th day of February, 2011.



DAVID FOLSOM
UNITED STATES DISTRICT JUDGE